IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION CIVIL CASE NO. 1:10-cv-00159-MR

SOCIEDAD ESPANOLA DE ELECTROMEDICINA Y CALIDAD, S.A.,)))
Plaintiff,))
vs.)) <u>ORDER</u>)
BLUE RIDGE X-RAY COMPANY, et al.,)))
Defendants.)))

THIS MATTER is before the Court on the Plaintiff's Motion for Summary Judgment on Defendants' Counterclaim of Invalidity [Doc. 181].

Prior to the trial of this matter, the Defendants stipulated that they would not pursue their counterclaim for a declaratory judgment regarding the invalidity of the patent-in-suit. Accordingly, the Plaintiff's motion for summary judgment on this counterclaim will be granted and this counterclaim will be dismissed.

IT IS, THEREFORE, ORDERED that the Plaintiff's Motion for Summary Judgment on Defendants' Counterclaim of Invalidity [Doc. 181] is GRANTED, and the Defendants' Counterclaim is hereby DISMISSED.

IT IS SO ORDERED.

Signed: July 8, 2016

Martin Reidinger United States District Judge